

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

EDDIE L. JONES,)
vs.)
Plaintiff,)
CAROLYN W. COLVIN, Commissioner)
of the Social Security Administration,)
Defendant.)
NO. CIV-12-560-HE

ORDER

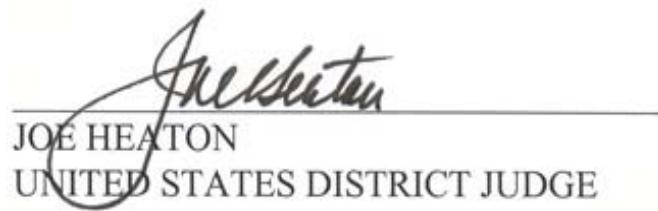
Plaintiff Eddie L. Jones, filed this action seeking judicial review of the final decision of the Commissioner of the Social Security Administration denying his application for disability insurance benefits and supplemental security income benefits under the Social Security Act. Consistent with 28 U.S.C. § 636(b)(1)(B)-(C), the case was referred to Magistrate Judge Shon T. Erwin, who recommends that the Commissioner's decision be affirmed.

The parties, having failed to object to the Report and Recommendation, waived their right to appellate review of the factual and legal issues it addressed. United States v. One Parcel of Real Property, 73 F.3d 1057, 1059-60 (10th Cir. 1996). See 28 U.S.C. § 636(b)(1)(C). Accordingly, the court adopts Magistrate Judge Erwin's Report and Recommendation. The Commissioner's decision is **AFFIRMED**.¹

¹This the second appeal involving Mr. Jones's application for Social Security benefits. Although the case should have been assigned to the Honorable Robin J. Cauthron, who considered plaintiff's first appeal, due to the absence of an objection by either party to the Report and Recommendation, the court will not transfer the case.

IT IS SO ORDERED.

Dated this 27th day of June, 2013.



Joe Heaton
UNITED STATES DISTRICT JUDGE